

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division

ELIZABETH SINES, SETH WISPELWEY,
MARISSA BLAIR, TYLER MAGILL, APRIL
MUNIZ, HANNAH PEARCE, MARCUS
MARTIN, NATALIE ROMERO, CHELSEA
ALVARADO, and JOHN DOE

Plaintiffs,

v.

Civil Action No.: 3:17CV00072

JASON KESSLER, RICHARD SPENCER,
CHRISTOPHER CANTWELL, JAMES ALEX
FIELDS, JR., VANGUARD AMERICA,
ANDREW ANGLIN, MOONBASE
HOLDINGS, LLC, ROBERT “AZZMADOR”
RAY, NATHAN DAMIGO, ELLIOTT
KLINE a/k/a ELI MOSELEY, IDENTITY
EVROPA, MATTHEW HEIMBACH, MATTHEW
PARROTT a/k/a DAVID MATTHEW PARROTT,
TRADITIONALIST WORKER PARTY,
MICHAEL HILL, MICHAEL TUBBS, LEAGUE
OF THE SOUTH, JEFF SCHOEP, NATIONAL
SOCIALIST MOVEMENT, NATIONALIST
FRONT, AUGUSTUS SOL INVICTUS,
FRATERNAL ORDER OF THE ALT-KNIGHTS,
MICHAEL “ENOCH” PEINOVICH, LOYAL
WHITE KNIGHTS OF THE KU KLUX KLAN,
and EAST COAST KNIGHTS OF THE KU KLUX
KLAN a/k/a EAST COAST KNIGHTS OF THE
TRUE INVISIBLE EMPIRE,

Defendants.

FIELDS’ OBJECTIONS TO PLAINTIFF’S WITNESS LIST

COMES NOW JAMES ALEX FIELDS, by and through Counsel, files this, his
Objections to Plaintiffs’ Exhibit List:

1. Copies of any Plaintiffs’ medical records:

Fields objects to the admission of any of Plaintiffs’ medical records on the grounds they

are duplicative of testimony given by Plaintiff and his or her physicians, may include hearsay or information lacking in foundation and non-disclosed expert opinions. Specifically, Fields objects to PX-023 – PX-049; PX-065; PX-098 – PX-124; PX-130 – PX-136; PX-140 – PX-149; PX-1507 – PX-1533; PX-1602; PX-1668 – PX-1676; PX-1737; PX-1744 – PX-1745; PX-1756 – PX-1774; PX-1783; PX-1794 – PX-1799; PX-2952; PX-2995 – PX-2996; PX-3047; PX-3055 – 3057; PX-3186; PX-3189; PX-3225; PX-3274 – PX-3275; PX-3277 – PX-3280; PX-3285 – PX-3286.

While this list is an attempt to include all applicable exhibits, Fields reserves the right to object to any other exhibit that contains medical records.

2. Copies of billing statements:

Fields objects to the admission of any of Plaintiffs' medical bills or communications that are not redacted to avoid information on the presence or absence of any insurance benefits. Specifically, Fields objects to PX-016 – PX-017; PX-024 – PX-029; PX-035 – PX-036; PX-112; PX-114; PX-121 – PX-129; PX-138; PX-139; PX-146; PX-151; PX-1506; PX-1508 – PX-1509; PX-1518 – PX-1519; PX-1523 – PX-1526; PX-1533; PX-1602; PX-1630 – PX-1640; PX-1644; PX-1668 – PX-1674; PX-1737; PX-1742; PX-1785; PX-1795 – PX-1799; PX-2945 – PX-2951; PX-2957 – PX-2963; PX-3058; PX-3280; PX-3287 – PX-3288;

While this list is an attempt to include all applicable exhibits, Fields reserves the right to object to any other exhibit that contains medical bills.

3. Defendants' Pleadings and Defendant's Responses to Interrogatories, Requests for Admissions, and Requests for Production including attachments:

Defendant objects to this exhibit as it is blanket listing of Defendant's discovery and as such does not specify with sufficient detail to notify Defendant which discovery Plaintiffs would like to introduce into evidence. Clearly, some answers to Interrogatories and Responses to

Requests for Production of Documents as well as the attached documents are not admissible into evidence because of hearsay, opinion evidence, and other reasons. Specifically, Fields objects to: PX-3303 – PX-3312.

4. Hearsay Audio or Video recordings, Photographs, and Newspaper/blog Articles:

Defendant objects to the following exhibits on the grounds they contain hearsay, opinions from non-expert witnesses, and are unduly prejudicial with no probative value to any fact at issue in this case. Fields objects to the following Exhibits: PX-1877; PX-1919; PX- 1922; PX-2056; PX- 2065; PX-2102 – PX-2106; PX-2110; PX-2270; PX-2377; PX-2529; PX-2540 – PX-2543; PX-2554; PX-2560 – PX-2561; PX-2598; PX-2608; PX-2641; PX-2697; PX-2699; PX2743; PX-2747; PX-2751; PX-2752; PX-2765; PX-2767; PX-2772; PX-2778 – PX-2780; PX-2790; PX-2794 – PX-2798; PX-2800; PX-2801; PX-2803; PX-2814' PX-2816; PX-2818; PX-2823; PX-2827 – 2834; PX-2854; PX-2876 – PX-2880.

5. Irrelevant photos and tweets by Fields:

Fields objects to the following exhibits on the grounds they are unduly prejudicial with no relevance or probative value as to any fact in dispute in this case. Fields Guilty Plea in this Court, which is listed as Plaintiffs' Exhibit PX-001 and his answers to requests for admissions, which are also listed as exhibits, remove any potentially relevant or probative value to the exhibits. PX-002; PX-003; PX-006; PX-1202 – PX-1243.

6. Fields' Prison Phone Calls:

Fields objects to exhibits PX-202 – PX-214 on the ground that Fields post-incident telephone calls from prison contain no relevant and probative information to any fact at issue in this case and to the extent the Court deems any portion to contain some small probative value, this is vastly outweighed by the prejudice to Fields' case.

7. Fields Criminal Trial Documents:

Fields objects Plaintiff's Exhibits PX-004 and PX-007 – PX-011 on the grounds these are not relevant to any fact at issue in this case. The admission of Fields' guilty plea and perhaps Statement of Offense remove any potentially relevant or probative value. Further, the exhibits contain information that is unduly prejudicial to Fields defense.

8. Cumulative and Duplicative Exhibits:

Fields cannot predict the order in which opposing counsel admits exhibits. However, for one example, Plaintiffs' have identified over 70 photos of Fields driving his car. Fields reserves the right to object to any photos on the grounds that they are cumulative and duplicative after a certain point. This is particularly so when Plaintiffs have identified video recordings and even accident reconstruction of Fields' vehicle. PX-221 – PX-293. Plaintiff has designated approximately 30 paystubs, which appear cumulative and duplicative. PX-1699 – PX-1736.

9. Exhibits related to prosecution of non-party Daley:

Fields objects on the ground of relevance to the exhibits relating to Benjamin Daley and his criminal prosecution. PX-1925 – PX-1963.

10. Fields objects to PX-1966 as lacking foundation. Fields was not present in Virginia on August 11, 2017.

11. Fields objects to PX-2110 on the grounds of relevance and lacking foundation.

12. Fields objects to admission of the Police Crash Reports PX-3217 – PX-3222 to the extent they contain hearsay.

13. Fields further objects to Plaintiffs' blanket reservation of exhibits not identified on the grounds it does not specify with sufficient certainty any such items Plaintiffs wish to introduce with sufficient detail to permit Fields to assess the admissibility or appropriateness of

such exhibit. Without a specific designation or production of the intended documents, Defendant does not have sufficient information to adequately respond to this designation or to prepare for trial.

Respectfully submitted,

JAMES ALEX FIELDS, JR.

By Counsel

/S/

David L. Campbell, Esquire (VSB #75960)
DUANE, HAUCK, GRAVATT & CAMPBELL
100 West Franklin Street
Richmond, Virginia 23220
Telephone: 804-644-7400
Facsimile: 804-303-8911
dcampbell@dhdglaw.com
Counsel for Defendant James A. Fields, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on 24th day of September, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all ECF participants.

I further certify that on September 24, 2021, I also served the following non-ECF participants, via electronic mail as follows:

Christopher Cantwell

Christopher.cantwell@gmail.com

Robert Azzmador Ray
azzmador@gmail.com

Elliott Kline
Eli.f.mosley@gmail.com

Vanguard America c/o Dillon Hopper
Dillon_hopper@protonmail.com

Matthew Heimbach
Matthew.w.heimbach@gmail.com

Richard Spencer
richardbspencer@gmail.com

/S/

David L. Campbell, Esquire (VSB #75960)
DUANE, HAUCK, GRAVATT & CAMPBELL
100 West Franklin Street
Richmond, Virginia 23220
Telephone: 804-644-7400
Facsimile: 804-303-8911
dcampbell@dhdglaw.com
Counsel for Defendant James A. Fields, Jr.